

**Commonwealth of Kentucky  
Energy and Environment Cabinet  
Department for Environmental Protection  
Division for Air Quality  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, Kentucky 40601  
(502) 564-3999**

**Draft**

**AIR QUALITY PERMIT  
Issued under 401 KAR 52:030**

**Permittee Name:** Brake Parts, Inc. (Affinia group)  
**Mailing Address:** 101 Industrial Park Drive, Stanford, KY 40484

**Source Name:** Brake Parts, Inc. (Affinia group)  
**Mailing Address:** 101 Industrial Park Drive  
Stanford, KY 40484

**Source Location:** Same as above

**Permit ID:** F-08-028  
**Agency Interest #:** 2714  
**Activity ID:** APE20080003  
**Review Type:** Conditional Major, Construction / Operating  
**Source ID:** 21-137-00011

**Regional Office:** London Regional Office  
875 S. Main Street  
London, KY 40741  
(606) 330-2080

**County:** Lincoln

**Application**  
**Complete Date:** August 30, 2008  
**Issuance Date:**  
**Revision Date:**  
**Expiration Date:**

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**John S. Lyons, Director  
Division for Air Quality**

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	Permit type	Activity#	Complete Date	Issuance Date	Summary of Action
<b>F-08-028</b>	<b>Renewal</b>	<b>APE20080003</b>	<b>10/21/08</b>	<b>---</b>	<b>Added Leinweber Lean Cell No. 2, EP98</b>

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

- 08 (307-309)**                      **3 coresteel positive press lean cell #1, 400 tons each**  
**Capacity: 288 pieces/hr**  
**Control equipment: None**  
**Date commenced: 2005**
- 10 (401-412, 414-417)**                      **16 Grinder/Slotter/Chamfer & Vertical grinder**  
**Date commenced: April 30, 1990**  
**1 LW Cell #1/Grinder for lean cell**  
**Date Commenced: 2007**  
**(New)                      1 LW Cell#2/Grinder for lean cell**  
**Date Commenced: 2008**  
**16,460 pieces per hour.**  
**Control equipment: baghouse and HEPA filter (Unit 1701)**
- 18 (301L-306L & 307-313)**                      **13 flash presses**  
**Processing a combined 4,184 pieces per hour.**  
**Control equipment: None**  
**Date commenced: April 30, 1990**
- 19 (1114)**                                      **Ramco curing oven (1 million Btu/hr)**  
**Capacity: 5,706 pieces per hour**  
**Control equipment: Afterburner (1 million Btu/hr)**  
**Date commenced: March 10, 1993**
- 22 (201-224)**                                      **24 Preforms 75 tons each**  
**Combined preform is 7,488 pieces per hour**  
**Control equipment: Baghouse and HEPA filter (Unit 1703)**  
**Date commenced: April 30, 1990**
- 31 (701-772)**                                      **72 Leinweber curing presses**  
**Capacity: 3,456 pieces/hr**  
**Control equipment: Baghouse (unit 1702)**  
**Date commenced: April 30, 1990**
- 44 (1101)**                                      **Despatch curing oven (0.75 million Btu/hr)**  
**Process rate: 5,706 pieces/hr**  
**Control equipment: Afterburner (1.5 million Btu/hr)**  
**Date commenced: April 30, 1990**
- 61 (321-327)**                                      **7 coresteel curing presses, 400 tons each**  
**Capacity: 2,749 pieces/hr**  
**Control equipment: None**  
**Date commenced: 3-1998, 3- 2002, 1-2007**

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**

<b>73 (1108)</b>	<b>Roll coating plate adhesive line Control equipment: None Date commenced: May 14,1999</b>
<b>77 (1200)</b>	<b>Continuous Curing Oven (Scorch table) Control equipment: After burner Date commenced: April 4, 2002 Maximum processing rate: 1000 pads/hour</b>
<b>80 (1220)</b>	<b>Continuous Curing Oven-Scorch Table 2 Control equipment: After burner (3mmBTu/hr) Date commenced: May, 2005 Maximum processing rate: 1220 pads/hour</b>
<b>81 (313-315)</b>	<b>3 coresteel positive press lean cell #2, 400 tons each Capacity: 288 pieces/hr Control equipment: None Date commenced: 2007</b>
<b>82 ( 316-318)</b>	<b>3 coresteel positive press lean cell #3, 400 tons each Capacity: 288 pieces/hr Control equipment: None Date commenced: 2007</b>
<b>83 (Full Cell)</b>	<b>Leinweber lean cell presses #1, 4 double presses Capacity: 600 pieces/hr Control equipment: Baghouse (unit 1702) Date commenced: 2007</b>
<b>84</b>	<b>Leinweber Cell #1 Curing Oven Control equipment: None Maximum processing rate: 300 pads/hour Oven rated at 724,000Btu/hr Date commenced: June 2007</b>
<b>86 (New)</b>	<b>Leinweber Lean Cell #1 Curing Oven (Scorch table) Process rate:300 pieces/hr Control equipment: None Date commenced: June 2007</b>
<b>89 (New)</b>	<b>Leinweber Lean Cell #2 Curing Oven (Scorch table) Process rate: 300 pieces/hr Control equipment: None Date commenced: June 2008</b>

## **SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**

**98 (1/2 Cell)**

**Leinweber lean cell presses #1, 2 double presses**

**Capacity : 300 pieces/hr**

**Control equipment: Baghouse (unit 1702)**

**Date commenced: 2008**

### **APPLICABLE REGULATIONS:**

401 KAR 63:020, Potentially hazardous matter or toxic substances.

401 KAR 59:010, New process operations.

#### **1. Operating Limitations:**

- a. To preclude PSD applicability, the control device(s) shall be in operation during the normal operating hours.
- b. Total number of pads produced in the press area shall not exceed 11,195 pads/hr.

#### **Compliance Demonstration Method:**

- a. To ensure good performance, the baghouses and fabric filter monitoring devices (i.e. pressure drop across the filter unit) shall be observed by the permittee with a frequency of not less than once per shift. The permittee shall keep a log of observations from the control monitoring devices.
- b. Compliance with hourly limit shall be determined by dividing the monthly production rate by monthly hours of operation.

#### **2. Emission Limitations:**

- a. Formaldehyde emissions shall not exceed 0.2626 pounds per hour plant wide.

#### **Compliance Demonstration Method:**

The hourly formaldehyde emissions shall be calculated using the following equation:

$$FE = \sum ((P_i * EFi) * (1 - ce))$$

Where FE is the formaldehyde emissions in lbs/hr;  $P_i$  is the throughput in kparts/hr or gal/hr;  $EF_i$  is the emission factor in lb/kpart or lb/gal; and ce is the control efficiency.

- b. Pursuant to Regulation 401 KAR 59:010:
  - 1) Visible emissions from each emission point listed in the above table shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A, 40 CFR 60.
  - 2) Hourly particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over three hours shall not exceed the limits calculated using the following equation

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**

for process weight rates up to 60,000 lb/hr. shall be calculated by use of the equation  
$$E = 3.59P^{0.62}$$

Compliance Demonstration: To provide reasonable assurance that the particulate matter emission limitations (TSP and PM<sub>10</sub>) are being met, the permittee shall monitor the amount and type of process weight added to each particulate matter emissions unit. The process weight shall be determined as the average hourly tons added to the emission unit averaged over a one-month period. Average particulate emissions shall be calculated as follows:

$$PE = (PW \times PEF)$$

Where PE = Particulate emissions in lbs./hr, PW = process weight in tons/hr, gal/hr, or parts/hr; and PEF = particulate emission factor in lbs/ton, lbs/gal, or lbs/parts of process weight as found in the emissions inventory system.

**3. Testing Requirements:**

The owner or operator shall conduct a performance test for particulate matter, and formaldehyde on all control devices, connected to the emission points listed above to calculate emission factor, control efficiencies and establish control device operational parameters. The testing shall be done within 90 days of the issuance of the final permit. Refer also to Section G.

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the monthly throughputs and coating MSDS for the above listed points. Calculations for formaldehyde shall be performed monthly using the above equation.
- b. Monthly and 12-month rolling total hours of operation.
- c. Hourly brake pads production rate (based on monthly average).
- d. 12-month rolling total pads produced.
- e. To provide reasonable assurance that the visible emission limitations are being met the permittee shall:
  - i) Perform a weekly qualitative visual observation of the opacity of emissions from each stack/vent and maintain a log of the observation. The log shall note:
    - 1) Whether any air emissions (except for water vapor) were visible from the vent/stack,
    - 2) All emission points from which visible emissions occurred, and
  - ii) If visible emissions are observed, the permittee shall determine the opacity emissions by reference Method 9 and correct the problem as soon as possible.

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the throughputs, MSDS, and formaldehyde emission calculations.

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**

- b. Monthly and 12-month rolling total hours of operation.
- c. Hourly brake pads production rate (based on monthly average).
- d. 12-month rolling total pads produced.
- e. Records of equipment malfunction or control device bypass. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
- f. Records shall be maintained of the weekly, qualitative opacity readings.

**6. Specific Reporting Requirements:**

The permittee shall report the formaldehyde emissions semi-annually to the Division.

**7. Specific Control Equipment Operating Conditions:**

The permittee shall maintain the control equipment in accordance with manufacturer's specifications.



**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**

73 ( 1108 )

**Description:** Roll coating plate adhesive line  
**Process rate:** 0.3 gal/hr  
**Control equipment:** None  
**Construction commenced:** May 14, 1999

**APPLICABLE REGULATIONS:**

None

**1. Operating Limitations:**

None

**2. Emission Limitations:**

In order to remain exempt from 401 KAR 59:225. New miscellaneous metal parts and products surface coating operations, the total VOC emissions from all affected facilities subject to this administrative regulation shall be less than or equal to twenty (20) tons per year.

**Compliance Demonstration Method:**

See below, Specific Monitoring and Recording Requirements.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

The permittee shall monitor the glue VOC density and glue usage. Monthly VOC emissions shall be calculated by the following formula:

$$E = \left[ \sum_{i=1}^{12} P * \rho * \% \right] / 2000$$

Where: E is the monthly VOC emissions in tons per month, P is the process throughput in gallons per month,  $\rho$  is the coating density from the MSDS in lb/gal, and % is the percent of VOC in the coating. The VOC contents of the glue used at this emission point shall be verified by maintaining the MSDS sheets.

The percentages of VOC listed on the MSDS sheets shall be used in calculating the actual emissions, unless alternate values have been pre-approved by the Division.

**5. Specific Recordkeeping Requirements:**

The permittee shall maintain records of the glue usage, VOC density, and monthly VOC emission calculations.

**6. Specific Reporting Requirements:**

The permittee shall report the 12 month rolling total to the Division semi-annually.

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE  
REGULATIONS, AND OPERATING CONDITIONS (Continued)**

**7. Specific Control Equipment Operating Conditions:**

None

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. 2- air make-up units (EIS #74) 9.625 MMBtu/hr each	401 KAR 59:015
2. 31 space heaters (EIS #75) 0.15 MMBtu/hr each	None
3. Eirich Hopper and Mixer (EIS #02)	401 KAR 59:010
4. Batch Weighing (EIS #03)	401 KAR 59:010
5. 2 powder coating lines (EIS #21) 1.2 MMBtu/hr burners	401 KAR 59:010
6. Mixer # 104a, b, c, & d (EIS #50)	401 KAR 59:010
7. Mold cleaner	401 KAR 59:010
8. 2 shotblaster- plate (EIS #01)	401 KAR 59:010
9. Belt sander (EIS # 36)	401 KAR 59:010
10. Powder paint unit for LW Lean Cell (EIS #85)	401 KAR 59:010
11. Area heater (EIS # 88) 9.65 MMBtu/hr	401 KAR 59:015
12. Warehouse scale (107s & 109s) (EIS#87)	401 KAR 59:010
13. Powder paint unit for LW Lean Cell (EIS #99)	401 KAR 59:010
14. Powder paint unit for LW Lean Cell (EIS #100)	401 KAR 59:010
15. Powder paint unit for LW Lean Cell (EIS #101)	401 KAR 59:010
16. New Curing Oven (0.1 mmBTU/hr) (EIS #94)	401 KAR 59:010; 401 KAR 59:015

**SECTION C - INSIGNIFICANT ACTIVITIES (Continued)**

17. (101s & 108s) Mix weighing scale (EIS#76) 401 KAR 59:010; 401 KAR 63:020  
for 107 & 108
18. (107 & 108) 2 Lodige coresteel mixers(EIS#35) 401 KAR 59:010; 401 KAR 63:020
19. (104s)Raw material weighing (EIS# 29) 401 KAR 59:010; 401 KAR 63:020
20. (105)Littleford mixer (EIS#30) 401 KAR 59:010; 401 KAR 63:020
21. Quality Control Bandsaw at new LW Lean Cell 401 KAR 59:010

## SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate Matter, VOC, and HAP emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
3. **Source Emission Limitations:**
  - a. To preclude the applicability of 401 KAR 52:020, *Title V Permits*, the total annual source-wide PM emissions shall not exceed 90 tons on a twelve (12) consecutive month basis.

### ***Compliance Demonstration Method:***

Monthly emissions of PM shall be calculated and shall be used to calculate rolling twelve (12) month total for each emission point in the respective Section B of this permit. The rolling twelve month total shall be calculated for PM on a monthly basis and shall be compared to the above annual limit.

- b. Sourcewide emissions of VOCs shall not exceed 90 tons per rolling 12-month total.

### **Compliance demonstration method for VOC:**

Monthly sourcewide VOC emissions

$$\begin{aligned}
 &= \sum \text{VOC emissions from Despatch oven EP\#44} \\
 &+ \sum \text{VOC emissions from Ramco oven EP\#19} \\
 &+ \sum \text{VOC emissions from Scorch ovens EP\#77 and 80} \\
 &+ \sum \text{VOC emissions from Adhesive line EP\#73} \\
 &+ \sum \text{VOC emissions from Lean Cell ovens EP\#84, 86, and 89} \\
 &+ \sum \text{VOC emissions from misc. operations}
 \end{aligned}$$

When the total VOC emissions from each given month are added to the previous eleven (11) monthly totals, the new 12-month rolling total shall not exceed 90 tons.

- c. Sourcewide emissions of any single HAP shall not exceed 9 tons per rolling 12-month total.

### **Compliance demonstration method for HAP:**

Monthly single HAP emissions

$$\begin{aligned}
 &= \sum_{i=1}^n \text{HAP}_i \text{ emissions from Despatch oven EP\#44} \\
 &+ \sum_{i=1}^n \text{HAP}_i \text{ emissions from Ramco oven EP\#19} \\
 &+ \sum_{i=1}^n \text{HAP}_i \text{ emissions from Scorch ovens EP\#77 and 80} \\
 &+ \sum_{i=1}^n \text{HAP}_i \text{ emissions from Adhesive line EP\#73}
 \end{aligned}$$

## SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (Continued)

$$+ \sum_{i=1}^n HAP_i \text{ emissions from Lean Cell ovens EP\#84, 86, and 89}$$

$$+ \sum_{i=1}^n HAP_i \text{ emissions from miscellaneous materials}$$

Where; i = individual HAP emission (i.e. formaldehyde, phenol, etc.)

n = total number of materials used which contain single HAP<sub>i</sub>

When monthly emissions of each single HAP are added to the emissions from the previous eleven (11) months for that given HAP, the new 12-month rolling total shall not exceed 9 tons.

- d. Sourcewide total HAP emissions shall not exceed 22.5 tons per rolling 12-month total.

### **Compliance demonstration method for combined HAP:**

$$\text{Combined HAP Emissions} = \sum_{j=1}^m HAP_j$$

Where, j = individual HAP emission (i.e. formaldehyde, phenol, etc.)

m = total number of single HAP emissions

When the total HAP emissions from each given month are added to the previous eleven (11) monthly totals, the new 12-month rolling total shall not exceed 22.5 tons.

#### 4. **Source Recordkeeping Requirements:**

- a. Actual PM emissions shall be determined and recorded on a monthly and consecutive 12-month basis in accordance with **Source Emission Limitations 3, Compliance Demonstration Method.**
- b. The permittee shall maintain records onsite such that they are readily accessible. The permittee shall provide these records to Division personnel upon request.
- c. All records shall be maintained for a period of at least five years in accordance with **Section F.2.**
- d. Each month the permittee shall calculate and record total sourcewide emissions of VOC, individual HAP, and total HAPs emitted during the previous month along with the 12-month rolling total emissions representing the previous 12-months.
- e. All VOC and HAP emitted during any specified time period shall be considered to equal the total amount of VOC and HAP purchased and used during that specific time period. IF any waste solvent is reclaimed and shipping off-site for disposal or recycling, and the permittee knows the VOC content of the reclaimed material thorough EPA test methods or a Division approved alternative, then the VOC content of the reclaimed material shipped off-site may be subtracted from the VOC purchased and used during the month when calculating emissions.
- f. All records shall be retained by the source for a period of five years. These records, as well as purchase orders and invoices for all VOC/HAP containing materials, shall be made available for inspection upon request by any duly authorized representatives of the Division for Air Quality.

## **SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (Continued)**

### **5. Source Reporting Requirements:**

- a. The permittee shall report on a semiannual basis to the Division's London Regional Office the monthly and 12 consecutive month total PM emissions as required in **4. Source Recordkeeping Requirements**. Also see **Section F.5**
- b. The permittee shall report monthly VOC and HAP emissions and the 12-month rolling totals as part of the semiannual reporting as required in Section F (5 & 6). The semiannual reporting may also coincide with the annual compliance certification required in Section F (9).

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.



**SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

**SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Deviations from permit requirements, including those previously reported under F.7 above, shall be included in the semiannual report required by F.6 [Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - a. Identification of each term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

## **SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality  
London Regional Office  
875 S. Main Street  
London, KY 40741

Division for Air Quality  
Central Files  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
    - (1) The size and location of both the original and replacement units; and
    - (2) Any resulting change in emissions;
  - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
  - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
  - d. The replacement unit shall comply with all applicable requirements; and
  - e. The source shall notify Regional office of all shutdowns and start-ups.
  - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
    - (1) Re-install the original unit and remove or dismantle the replacement unit; or
    - (2) Submit an application to permit the replacement unit as a permanent change.

**SECTION G - GENERAL PROVISIONS****1. General Compliance Requirements**

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
  - (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a-12-b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

## SECTION G - GENERAL PROVISIONS (CONTINUED)

- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
  - (1) Applicable requirements that are included and specifically identified in this permit; and
  - (2) Non-applicable requirements expressly identified in this permit.

### 2. Permit Expiration and Reapplication Requirements

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].
- b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

### 3. Permit Revisions

- a. Minor permit revision procedures specified in 401 KAR 52:030 Section 14(3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

**SECTION G - GENERAL PROVISIONS (CONTINUED)****4. Construction, Start-Up, and Initial Compliance Demonstration Requirements**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points 98 (Lean Cell No. 2), 89 (Lean Cell No.2 Scorch oven) in accordance with the terms and conditions of this permit.

- a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
- b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
  - (1) The date when construction commenced.
  - (2) The date of start-up of the affected facilities listed in this permit.
  - (3) The date when the maximum production rate specified in the permit application was achieved.
- c. Pursuant to 401 KAR 52:030, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
- d. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the draft permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.
- e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.
- f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

**SECTION G - GENERAL PROVISIONS (CONTINUED)****5. Testing Requirements**

- a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

**6. Acid Rain Program Requirements**

- a. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

**7. Emergency Provisions**

- a. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - (1) An emergency occurred and the permittee can identify the cause of the emergency;



**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- (2) The permitted facility was at the time being properly operated;
  - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
  - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
  - (5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
- b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
- c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].
8. Ozone depleting substances
- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
    - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
    - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
    - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
    - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
    - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
    - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
  - b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

### 9. Risk Management Provisions

- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 1515  
Lanham-Seabrook, MD 20703-1515.

- b. If requested, submit additional relevant information to the Division or the U.S. EPA.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

None

**SECTION I - COMPLIANCE SCHEDULE**

NA